

REMARKS

Claims 11-14, 17-20, 22-24, 38, 39 and 41 are pending and under consideration. Claims 11, 38, 39 and 41 are the independent claims. No new matter is presented in this Response.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 11-14, 17-20, 24 and 39 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kweon et al. (U.S. Patent No. 6,183,911) in view of Gao et al. (U.S. Pre-Grant Publication No. 2002/0127175) and further in view of JP 11-097027.

Initially it is noted that Kweon (U.S. Patent No. 6,183,911) is disqualified as being §103(a) prior art under 35 U.S.C. §103(c)(1). 35 U.S.C. §103(c)(1) states "Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person."

Kweon was published on February 6, 2001 and is not prior art under 35 U.S.C. §102(a) or (b) because the date of invention of the current application is at least as early as October 9, 2000, as evidenced by the claim of benefit to the Korean Application No. 2000-59336. A verified English language translation of the Korean Application No. 2000-59336 was filed on March 30, 2009. Therefore, Kweon is only available, if at all, as art under 35 U.S.C. §102(e), and is thus not available as art under 35 U.S.C. §103(a) because of §103(c)(1).

Furthermore, Applicants note that although Kweon cites Samsung Display Devices Co., Ltd as its assignee and the current application cites Samsung SDI Co., Ltd, as its assignee, both entities are the same organization. Thus Applicants hereby state and assert that the current application, Application No. 10/627,725 and the reference Kweon (U.S. Patent No. 6,183,911) were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same organization.

Accordingly, since Kweon is not a valid reference under 35 U.S.C. §103(a) and neither Gao nor JP '027, whether taken singly or combined, teach or suggest the novel features of

claims 11-14, 17-20, 24 and 39, Applicants respectfully request that the rejection of claims 11-14, 17-20, 24 and 39 be withdrawn.

Claims 22, 23, and 38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kweon et al. (U.S. Patent No. 6,183,911) in view of Gao et al. (U.S. Pre-Grant Publication No. 2002/0127175) in view of JP 11-097027 as applied to claims 11-14, 17-20, 24 and 39 above, and further in view of Maegawa et al. (U.S. Patent No. 6,383,235).

Initially it is noted that claims 22 and 23 depend from independent claim 11, and as noted above, Kweon is not a valid reference under 35 U.S.C. §103(a), and neither Gao nor JP '027, whether taken singly or combined, teach or suggest the novel features of independent claim 11. Maegawa, on the other hand, fails to cure the deficiencies of Kwon, Gao and JP '027 and thus fails to teach or suggest the novel features of independent claim 11. Accordingly, Applicants respectfully assert that claims 22 and 23 are allowable, at least, because of their dependency from independent claim 11, and because the dependent claims recite features which are not taught or suggested by the prior art.

Regarding the rejection of independent claim 38, it is noted that independent claim 38 recites some substantially similar features as independent claims 11 and 39, and thus the rejection of claim 38 is traversed for the same reasons set forth above. That is, Kweon is not a valid reference under 35 U.S.C. §103(a) and neither Gao, nor JP '027, whether taken singly or combined, teach or suggest the novel features of independent claim 38. Maegawa also fails to teach or suggest the novel features of independent claim 38. Accordingly, Applicants respectfully request that the rejection of claim 38 be withdrawn.

Claim 41 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kweon et al. (U.S. Patent No. 6,183,911) in view of Gao et al. (U.S. Pre-Grant Publication No. 2002/0127175) in view of JP 11-097027 as applied to claims 11-14, 17-20, 24 and 39 above, and further in view of Shindo et al. (U.S. Patent No. 6,045,947).

Initially, it is noted that independent claim 41 recites some substantially similar features as independent claims 11 and 39. Thus, the rejection of independent claim 41 in view of Kweon, Gao and JP '027, is traversed for similar reasons as set forth above. Shindo also fails to teach

or suggest the novel features of independent claim 41 and thus fails to cure the deficiencies of Kweon, Gao and JP '027. Accordingly, Applicants respectfully request that the rejection of claim 41 be withdrawn.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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